

BTXN 117a (rev. 10/02)

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF TEXAS

In Re:  
McClain Feed Yard, Inc.

Debtor(s)

Rabo AgriFinance LLC

Plaintiff(s)

Case No.: 23-20084-rlj7

Chapter No.: 7

Adversary No.: 23-02005-rlj

vs.

A.J. Jacques Living Trust ; Michael Acey ; Acey  
Livestock, LLC ; Arnold Braun Trust ; Stan E. Ayers Jr.  
.; Bar D Ranch Land & Cattle LLC ; Don Ralph Barrett  
.; Barrett's Livestock Inc. ; Sonny Barthold ; Bella  
Elegance LLC ; Big Seven Capital Partners, LLC ;  
Bryan Blackman ; Dora Blackman ; Arnold Braun ;  
Robert Braun ; JoAnn & Keith Brooks ; Brooks Farms  
.; Joel Brookshire ; Eddie Bryant ; Brent Burnett ; Joe  
Burnett ; Terry Burnett ; Dennis Buss ; Edwin D. Buss  
.; Buss Family Trust ; C Heart Ranch, LLC ; Richard  
Carraway ; Carraway Cattle, LLC ; Curtis Jones Farms  
.; DAC83 LLC ; Eric DeJarnatt ; N. Terry Dicks ; Don  
Jones Farm, Inc. ; Don Jones Trucking, Inc. ; Edward  
Lewis Dufurrena ; Rieta May Dufurrena ; Dufurrena  
Cutting Horses ; Robert Ellis ; Michael Evans ;  
Douglas Finley ; Tom Frith ; Justin Garwood ;  
Garwood Cattle Co. ; Gene Brookshire Family, LP ;  
Jim Giordano ; Mike Gourley ; Robert Gray ; Ronnie  
Gray ; Gray Brothers Cattle ; Jimmy Greer ; Bradley  
Gungoll ; Leah Gungoll ; Gungoll Cattle, LLC ; Keith  
Harris ; Jace Harrold ; Hines Cattle Company, LLC ;  
Hines Farms, LLC ; Cory Jesko ; Dwight Jesko ;  
David Johnson ; Dustin Johnson ; Kinsey Jones ;  
Jordan Lesh, LLC ; Larry Keith ; Kingdom Trust ;  
LFC Cattle ; Janice Lawhon ; Colette Lesh ; Gary  
Lesh ; Jan Lesh ; Jared Lesh ; Lesh Family Trust ;  
Charles Lockwood ; Cole Lockwood ; Nikki  
Lockwood ; Sherle Lockwood ; Colton Long ; MAP  
Enterprises ; Natalie Martus ; James McCuan ;  
Morrison Cafe, LLC ; Jean Nix ; Open A Arena LLC ;  
Barry Phillips ; Drew Phillips ; Priest Cattle Company,  
Ltd. ; Priest Victory Investment LLC ; Christopher  
Prince ; Producers Livestock Commission ; David  
Rainey ; Rapp Ranch ; Mark J. Reisz ; Ralph Reisz ;  
Ridgefield Capital Asset Management ; Kent Ries ;  
Riley Livestock, Inc. ; Jim Rininger ; Angie Robinson  
.; Rick Rodgers ; Wiley Roby Russell Jr. ; Steve Ryan  
.; Scarlet & Black Cattle, LLC ; Scott Livestock  
Company ; Shaw & Shaw Farms Partnership LLC ;  
Robert J. Spring ; Jeff Starnes ; Starnes Cattle ; Steve  
T Scott Farms, Inc. ; Eddie Stewart ; Rachel Stewart ;  
Robert Stewart ; Scott E. Stewart ; Justin Stuever ;  
Phillip Sullivan ; Amy Sutton ; Craig Sutton ; TGF  
Ranch LLC ; The University of Florida ; Thorlakson  
Diamond T Feeders, LP ; John Tidwell ; Mykel  
Tidwell ; John Tindal ; Tindal Truck Sales ; Colby  
VanBuskirk ; Janet VanBuskirk ; Lyndal VanBuskirk  
.; Susan VanBuskirk ; WJ Performance Horses, Inc. ;  
Cameron Weddington ; Nancy Weddington ; William  
Weddington ; Job White ; Wildforest Cattle Company  
LLC ,

Defendant(s)

## SUMMONS IN AN ADVERSARY PROCEEDING

To the above-named defendant:

You are hereby summoned and required to serve upon **Michael R. Johnson**, Plaintiff's attorney (or if Plaintiff is not represented by counsel, upon Plaintiff), whose address is **Ray Quinney & Nebeker P.C.**

**36 South State Street, Suite 1400**

**Salt Lake City, UT 84111**, either a motion or an answer to the complaint which is now served upon you. If you elect to respond first by motion, as you may pursuant to Fed. R. Bankr. P. 7012, that governs the time within which your answer must be served. Otherwise, you are required to serve your answer upon Plaintiff's attorney (or upon Plaintiff if Plaintiff is not represented by counsel) within 30 days of the date of issuance of this summons by the clerk (or by the following date prescribed by the court: N/A) except that the United States or an office or agency thereof shall serve an answer to the complaint within 35 days after the date of issuance of the summons.

*{If this summons and complaint is served in a foreign country}* Service of your answer must be made by the following date prescribed by the court N/A.

The motion or answer served by you must be filed with this court before service or within a reasonable time after service. **IF YOU FAIL TO RESPOND IN ACCORDANCE WITH THIS SUMMONS, JUDGMENT BY DEFAULT WILL BE TAKEN AGAINST YOU FOR THE RELIEF DEMANDED IN THE COMPLAINT.**

DATED: 12/1/23

FOR THE COURT:

Robert P. Colwell, Clerk of Court

by: /s/C. Graham, Deputy Clerk



In Re: Rabo AgriFinance LLC v. Acey Livestock, LLC et al  
Case No. 23-20084-rlj -7  
Adv. No. 23-02005-rlj

## SUMMONS SERVICE EXECUTED

I, Carrie Hurst of \*\*Ray Quinney & Nebeker P.C. certify:

If service was made by personal service, by residence service, or pursuant to state law, I further certify that I am, and all times during service of process was, not less than 18 years of age and not a party to the matter concerning which service of process was made;

That on the 4th day of December, 2023, I caused to be served a copy of the within summons, together with the Amended complaint and *Order Regarding Adversary Proceeding Trial Setting and Alternative Scheduling Order* filed in this proceeding, on **Joe Burnett**

a defendant in this proceeding, by *Certified Mail, return receipt requested* at:

**187 Peachtree Rd  
Melber, KY 42069**

I certify under penalty of perjury that the foregoing is true and correct.

Executed on 12/4/2023  
(Date)

/s/ Carrie Hurst  
(Signature)

\*\*36 South State Street, Suite 1400, Salt Lake City, UT 84111

*State mailing address*

In Re: Rabo AgriFinance LLC v. Acey Livestock, LLC et al  
Case No. 23-20084-rlj7 -7  
Adv. No. 23-02005-rlj

## SUMMONS SERVICE EXECUTED

I, Carrie Hurst of \*\* Ray Quinney & Nebeker P.C. certify:

If service was made by personal service, by residence service, or pursuant to state law, I further certify that I am, and all times during service of process was, not less than 18 years of age and not a party to the matter concerning which service of process was made;

That on the **31st day of January, 2024**, I caused to be served a copy of the within summons, together with the Amended complaint and *Order Regarding Adversary Proceeding Trial Setting and Alternative Scheduling Order* filed in this proceeding and Cover letter, on **Joe Burnett** a defendant in this proceeding, by *Regular first-class Mail, postage prepaid at: 187 Peachtree Rd., Melber, KY 42069*.

I certify under penalty of perjury that the foregoing is true and correct.

Executed on January 31, 2024

(Date)

/s/ Carrie Hurst

(Signature)

\*\*36 South State Street, Suite 1400, Salt Lake City, UT 84111  
*State mailing address*

RAY QUINNEY & NEBEKER

January 31, 2024

VIA Regular Mail

Joe Burnett  
187 Peachtree Rd.  
Melber, KY 42069

Re: Bankruptcy cases of McClain Feed Yard, Inc.,  
McClain Farms, Inc., and 7M Cattle Feeders, Inc.  
Adversary Proceeding #23-02005 – Rabo vs. Joe Burnett

Dear Mr. Burnett,

This law firm represents Rabo AgriFinance LLC, a secured creditor of the above-referenced bankruptcy estates pending in the United States Bankruptcy Court, Northern District of Texas. Rabo is also the Plaintiff in Adversary Proceeding # 23-02005 filed in connection with the 3 bankruptcy cases against you and multiple other Dealer Trust Claimants.

With this letter you are being served by first class mail with a Complaint, Summons and an Order issued from the Bankruptcy Court in Adversary Proceeding # 23-02005. In accordance with the Bankruptcy Court Order we attempted to serve you with the Summons and Complaint on December 4, 2023, through the United States Postal Service by Certified mail. The envelope addressed to you at 187 Peachtree Rd. Melber, KY 42069 was returned as unclaimed. The Summons you are being served with indicates that you must answer the complaint with 30 days of the date of issuance of the Summons, but since service was not initially made upon you in a timely manner, this letter is to inform you that you may have **30 days from the day you receive this package** to file an answer.

Please note that as stated in the Summons IF YOU FAIL TO RESPOND IN ACCORDANCE WITH THE SUMMONS, and this letter, JUDGMENT BY DEFAULT WILL BE TAKEN AGAINST YOU FOR THE RELIEF DEMANDED IN THE COMPLAINT.

If you have any questions, or concerns about this matter and meeting the deadline, please contact me at (801) 323-3363. Your cooperation is appreciated.

Sincerely,

RAY QUINNEY & NEBEKER P.C.

  
Michael R. Johnson

MRJ/ch  
enclosures  
1661809

ATTORNEYS AT LAW  
D. Jay Curtis  
James S. Jardine  
Larry G. Moore  
Jeffrey W. Shields  
Bruce L. Olson  
Jeffrey W. Appel  
David J. Castleton  
Ellen J. D. Toscano  
Kevin G. Glade  
Lester K. Essig  
Stephen C. Tingey  
John R. Madsen  
Scott A. Hagen  
Rick L. Rose  
Brent D. Wride  
Steven W. Call  
Sally B. McMinimee  
Steven G. Jones  
Mark A. Cotter  
Gregory J. Savage  
Kelly J. Applegate  
Justin T. Toth  
Liesel B. Stevens  
Robert O. Rice  
Arthur B. Berger  
Rick Thaler  
John W. Mackay  
McKay M. Pearson  
Matthew N. Evans  
Gary L. Longmore  
John P. Wunderli  
Michael R. Johnson  
Samuel C. Straight  
Paul C. Burke  
Elaina M. Maragakis  
D. Zachary Wiseman  
Michael D. Mayfield  
Bryan K. Bassett  
Kamie F. Brown  
Gregg D. Stephenson  
Kristine M. Larsen  
Gregory S. Roberts  
Christopher N. Nelson  
Angela E. Atkin  
Samuel A. Lambert  
David H. Leigh  
Gavin M. Reese  
Richard H. Madsen, II  
S. Brandon Owen  
Charles H. Livsey  
David B. Dibble  
Carol A. Funk  
Maria E. Windham  
Blake R. Bauman  
Michael K. Erickson  
R. Troy Mollerup  
Paul N. Taylor  
Z. Ryan Pahnke  
Matthew M. Cannon  
Tiffany Brooks Healy  
James A. Sorenson  
Allison G. Behjani  
Skye Lazaro  
Adam K. Richards  
Beth J. Ranschau  
Jeffrey S. Rasmussen  
James Bullough  
Christopher K. Hallstrom  
Kennedy D. Nate  
Katherine E. Priest  
Jascha K. Clark  
John O. Carpenter  
Whitney Hulet Krogue  
Blake M. Biddulph  
Nathan L. Jepson  
Raj Dhaliwal  
J. Ramzi Hamady  
Thomas L. Lingard  
Aaron C. Hinton  
Jason M. Tholen  
Andrew Applegate  
Austin C. Nate  
Michael A. Stevens  
Jessica A. Ramirez  
Austin P. Atkinson  
Emily B. Nuvan  
Jacob G. Roberts  
Martha A. Wingate  
Lydia A. Rytting  
Taylor B. Wofford  
Eliza H. Burnett  
Stephanie Hanawalt  
  
OF COUNSEL  
Herbert C. Livsey  
Jonathan A. Dibble  
John A. Adams  
Douglas M. Monson  
Jordan Christianson  
Elaine A. Monson  
Katie A. Eccles  
Anjali J. Patel